

HEARING DATE AND TIME: To Be Determined

Billy Ray Kidwell, *Pro Se*
5064 Silver Bell Drive
Port Charlotte, Florida 33948
Telephone (941) 627-0433

On Behalf of himself Pro Se

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re : **Chapter 11**
MOTORS LIQUIDATION COMPANY, *et al.* : **Case No. 09-50026 (REG)**
f/k/a General Motors Corp., *et al.* :
Debtors :
:

DECLARATION OF BILLY RAY KIDWELL

Pursuant to 28 U.S.C. § 1746 I Billy Ray Kidwell declare as follows;

1. My name is Billy Ray Kidwell and I am the Plaintiff/Petitioner in Case No. 09-50026 (REG) that is before this Court.
2. I state, under oath, that I have personal knowledge of the facts contained herein and am competent to testify about them.
3. I state, under oath, that nearly every Motion, and Response, filed by the New General Motors in this case were filed for the improper purpose of harassing me, causing unnecessary delay, increasing litigation, and the costs of this action, causing me undue stress to intentionally aggravate my Severe Life-Threatening Disabilities, and to deceive this Court, and commit a Fraud on this Court.

4. I state, under oath, that nearly every Motion, and Response, filed by the New General Motors in this case are riddled with intentional lies, and are so filled with intentional lies that no Court can make an honest, or just, decision relying on the New General Motors Motions, or Responses.
5. I state, under oath, that the New General Motors intentionally lied to this Court about the Quasi-Judicial Lemon Law Hearing in Florida in this case.
6. I state, under oath, that Attorneys for the New General Motors have intentionally violated the American Bar Association Model Rules of Professional Conduct for Attorneys with their intentional dishonesty, and Rule 11 violations, in this case.
7. I state, under oath, that the New General Motors is fully aware that the Florida Lemon Law Process found that Plaintiff's GM Truck had a manufacturing defect in the motor that substantially impaired its intended use as transportation for my family, and that I am entitled to relief.
8. I state, under oath, that the New General Motors is fully aware that the Florida Lemon Law Process found that Plaintiff's GM Truck had a manufacturing defect in the transmission that substantially impaired its intended use as transportation for my family, and that I am entitled to relief.
9. I state, under oath, that the New General Motors is fully aware that the Florida Lemon Law Process found that Plaintiff's GM Truck had a manufacturing defect in the electrical that substantially impaired its intended use as transportation for my family, and that I am entitled to relief.

10. I state, under oath, that the New General Motors is fully aware that the Florida Lemon Law Process found that Plaintiff's GM Truck is not safe, or fit to drive.

11. I state, under oath, that the New General Motors is fully aware that the Florida Lemon Law Process delayed relief solely due to General Motors paying a Sitel Corporation Employee to create a fraudulent letter falsely claiming that she was a General Motors Manager in Detroit, and to fraudulently claim that Plaintiff served General Motors by regular mail instead of certified mail, a technical issue.

12. I state, under oath, that the New General Motors is fully aware that the Florida Lemon Law Process, because of the intentional perjury, and fraudulent letter by the Sitel Corporation Employee, gave General Motors a **LAST CHANCE** to repair the Defective Truck.

13. I state, under oath, that the New General Motors is fully aware that General Motors refused to abide by the last chance given to them and after nearly two years of waiting, while the non-running, defective, unsafe truck sat blocking his driveway Plaintiff filed a Lemon Law Lawsuit, as authorized by Florida's Lemon Law Process, in Florida's State Court.

14. I state, under oath, that seeking review in Court is part of Florida's Lemon Law Process.

15. I state, under oath, that despite massive ongoing dishonesty, and **OBSTRUCTION** by General Motors, Plaintiff obtained evidence that his NOTICE on General Motors was served by Certified mail and that General Motors had intentionally lied in the Lemon Law Process, with their paid FAKE manager, who was really a Sitel Corporation

Employee specifically paid by General Motors to lie in Florida's Lemon Law Process, which means Plaintiff greatly exceeded all the state Lemon Law Requirements and was entitled to Florida Lemon Law Relief all along.

16. I state, under oath, that one day after this Court issued an ORDER accepting the GM Sales Agreement in Bankruptcy Court making State Lemon Law Obligations an Assumed Liability for the New General Motors that the New General Motors had its attorneys intentionally lie to Florida's State Court, where the Plaintiff/Petitioner's Lemon Law Process was pending, and told Florida's Courts that GM Warranties, and State Lemon Law Obligations were protected by the Bankruptcy and the New General Motors effectively OBSTRUCTED the Plaintiff/Petitioner's Access to Florida's Lemon Law Process, and Florida's Courts.
17. I state, under oath, that the New General Motors is fully aware that the former General Motors, the New General Motors, and their Attorneys had lied, schemed, and used any dishonest "*tactic*" to swindle the Plaintiff/Petitioner out of OVER \$30,000, and to cheat him out of other reasonable costs, as authorized by Florida's Lemon Law Statutes, including the daily costs of a rental car, storage fees, and other reasonable costs cause by the Lemon Vehicle, all of which are specifically authorized by Florida Law.
18. It should be noted that in a similar case, where the New GM used the same, exact dishonest Attorneys to harass another State Lemon Law Victim General Motors was required to pay TRIPLE damages, and thousands in costs pursuant to Florida's Lemon Law Statutes.

I declare under penalty of perjury that the foregoing is true and correct.



Billy Ray Kidwell

5064 Silver Bell Drive
Port Charlotte, FL. 33948
941 627-0433

Executed on September 22, 2011 at Port Charlotte, Florida